

Appl. No. 09/353,537  
Amdt. dated June 12, 2003  
Reply to Office Action of May 5, 2003

PATENT

REMARKS/ARGUMENTS

Claims 1-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over McCormick et al. (U.S. Patent No. 6,023,723) in view of "Here is a zmail ban-spam button" (07 October 1997). The Examiner indicated that "McCormick et al. discloses a system for policing an unsolicited e-mail.. comprising a plurality of clients... a policy server.. coupled to the plurality of clients.." (Office Action dated May 5, 2003). As noted in the prior amendment and further emphasized herein, claim 1 recites a system for policing an unsolicited e-mail communication. The system includes a plurality of clients. Each of the clients is adapted to send an indication of an unsolicited e-mail message through an e-mail device for a display. The system also has a policing server coupled to each of the plurality of clients through the wide area network of computers. The policing server is adapted to receive the indication from at least one of the clients. The invention of claim 1 differs from McCormick in at least this way and others.

The Examiner points out that column 6 lines 33-38 through column 7 lines 45-48 provided "the policing server" of claim 1. Applicant respectfully disagrees. A correct reading of columns 6 through 7 have been provided below.

*"The address filter server 22 would relay e-mail filter user requests to the filter database....filtering is accomplished at the centralized e-mail system database..."*

As can be see above, McCormick deals with transferring updates from a client filter to a central server. See, also Figure 2 and associated text. In contrast, claim 1 as amended recites that the policing server is adapted to receive the indication from at least one of the clients where the indication is associated with a request to be removed from a SPAM e-mail list. Clearly, McCormick does not show or suggest these features. Additionally, any combination of McCormick and Here is a zmail ban-spam button also fail to show or suggest these features of claim 1.

Additionally, McCormick fails to show or suggest that the e-mail device comprises an SPAM icon on the display. The SPAM icon is adapted to send the indication from

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the client to the policing server. The Examiner has already acknowledged this. In fact, McCormick suggest any from any combination with the claimed SPAM icon. As clearly explained in column 2 lines 60-65.

*"Addresses of e-mail which are discarded would be periodically sent to a filter server thereby adding the addresses to a master list."*

As clearly explained, McCormick uses a different way of updating filters. No SPAM icon is required or desired by McCormick. Additionally, McCormick still fails to show or even suggest the claimed policing server for receiving the indication associated with the request to be removed from a SPAM e-mail list. Accordingly, even the combination of McCormick and Here is a zmail ban-spam button fail to show or suggest the invention of claim 1. Additionally, neither McCormick nor Here is the zmail ban-spam button fail to show or suggest the policing server in the manner claimed. Here, the policing server can, for example, receive the indication to be removed and possibly provide enforcement actions as well. Accordingly, claim 1 and respective dependent claims are patentable over the cited references.

Neither of the cited references also show or suggest the invention of claim 2. Claim 2 recites that the policing server is adapted to report the unauthorized e-mail message. The Examiner cites column 3 lines 55-56 of McCormick. A correct reading explains that the "list is maintained at the remote central location 46 as well as being periodically updated in each of the users PC systems..." As shown, there is no policing server that is adapted to report the unauthorized e-mail message. Accordingly, claim 2 is also patentable.

Claims 11-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combined system of (McCormick - "Here is a zmail ban-spam button") in view of Birrell et al (U.S. Patent No. 6,189,026B1). These claims are at least patentable based upon the reasons noted above, as well as others.

New claims 13 through 56 have been added. No new matter has been introduced thereby. Applicant respectfully requests for these claims be entered and allowed.

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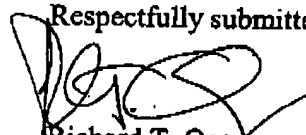
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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